

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:
Aujiena Sharay Hicks

CASE NO: 17-30905
Chapter 13

SSN# : XXX-XX-7614 DEBTOR

**MOTION OF TRUSTEE TO DISMISS CASE
OR TO MODIFY PLAN**

The undersigned Trustee in the above-referenced Chapter 13 case hereby moves the Court to dismiss the case, or to modify the plan in such a manner as the Court deems necessary and appropriate, for the following reason(s):

- 1. Plan payments are currently in default.**
- 2. Plan term may exceed the maximum term as provided for by applicable law.**

A Preliminary Hearing will be held on this motion as shown on the attached Notice, at which the Trustee will recommend to the Court to grant a variety of relief options in this case, including but not limited to dismissing the case, extending or reducing the term of the plan, reducing or increasing the plan payment, reducing the percentage paid to unsecured creditors, granting a moratorium on missed payments, granting a hardship discharge, modifying the plan to the payments made so far, allowing for a fee to the debtor's attorney for representation at the hearing, or granting any other such relief which the Court determines to be necessary and appropriate.

Dated: April 05, 2022

JENNY P. HOLMAN
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

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NOTICE OF MOTION OF TRUSTEE TO DISMISS CASE OR TO MODIFY PLAN

The Chapter 13 Trustee has filed papers in the bankruptcy case for the DEBTOR named above to dismiss the case or to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested by the Trustee in the motion, or if you want the Court to consider your views on this motion, then you or your attorney must file with the Court a written response to the motion by April 29, 2022 at the following address:

CLERK, U.S. BANKRUPTCY COURT
401 W TRADE ST.
CHARLOTTE, NC 28202

If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

A Preliminary Hearing will be held on the Trustee's motion on **May 11, 2022 at 2:50 pm** at the following address:

OFFICE OF THE CHAPTER 13 TRUSTEE
5970 FAIRVIEW ROAD
SUITE 650
CHARLOTTE, NC 28210-2100

If you oppose the relief sought in the Trustee's motion, you must attend the Preliminary Hearing. Failure to attend the Preliminary Hearing and to otherwise respond to the motion may result in the Court granting the relief sought. If a response is made and the motion is not resolved by consent at the Preliminary Hearing, a hearing before the Court will be scheduled.

Dated: April 05, 2022

JENNY P. HOLMAN
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

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CERTIFICATE OF SERVICE

This is to certify that I have this day served each party or counsel of record indicated on the list below with a copy of the attached document that was filed with the Clerk of Court on April 08, 2022 via the CM/ECF filing system. Non-ECF users were served by depositing in the United States mail a copy of the same in a properly addressed envelope with first class postage thereon. ECF users were served electronically.

Service Date: April 08, 2022

L. Long
Office of the Chapter 13 Trustee

ALLTRAN FINANCIAL LP, PO BOX 610, Sauk Rapids, MN 56379
AMERICREDIT FINANCIAL SERVICES INC, GM FINANCIAL, PO BOX 183853, ARLINGTON, TX 76096
AMERICREDIT FINANCIAL SERVICES INC, PO BOX 183853, ARLINGTON, TX 76096
Aujiena Sharay Hicks, 8427 Panglemont Dr, Charlotte, NC 28269
CAPITAL ONE NA, BECKET & LEE LLP, PO BOX 3001, MALVERN, PA 19355
CERASTES LLC, C/O WEINSTEIN AND RILEY PS, 2001 WESTERN AVENUE STE 400, SEATTLE, WA 98121
CERASTES LLC, C/O WEINSTEIN AND RILEY PS, PO BOX 3978, SEATTLE, WA 98124
CITY COUNTY TAX COLLECTOR, ATTN: VIVIANNE BOLDEN, PO BOX 31637, CHARLOTTE, NC 28231
DILLARDS, PO BOX 960012, ORLANDO, FL 32896
FIRST SOURCE ADVANTAGE LLC, PO BOX 628, BUFFALO, NY 14240
INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA, PA 19101
INTERNAL REVENUE SERVICE, PO BOX 7317, INSOLVENCY REMITTANCE, PHILADELPHIA, PA 19101-7317
MIDFIRST BANK, 999 NW GRAND BLVD STE 100, OKLAHOMA CITY, OK 73118
MIDLAND CREDIT MANAGEMENT, PO BOX 60578, LOS ANGELES, CA 90060
MIDLAND FUNDING LLC, MIDLAND CREDIT MANAGEMENT INC, PO BOX 2011, WARREN, MI 48090
NC DEPARTMENT OF REVENUE, BANKRUPTCY UNIT, PO BOX 1168, RALEIGH, NC 27602-1168
PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 12914, NORFOLK, VA 23541
PORTFOLIO RECOVERY ASSOCIATES, PO BOX 41067, NORFOLK, VA 23541
SHAPIRO & INGLE LLP, 10130 PERIMETER PARKWAY SUITE 400, CHARLOTTE, NC 28216
SUPERIOR ASSOCIATION MANAGEMENT LLC, PO BOX 2427, HUNTERSVILLE, NC 28070
SYNCHRONY BANK, PRA RECEIVABLES MANAGEMENT LLC, PO BOX 41021, NORFOLK, VA 23541
TERRY M DUNCAN (served electronically)
US DEPARTMENT OF EDUCATION/ MOHELA, PO BOX 105347, ATLANTA, GA 30348-5347
US DEPT OF EDUCATION, MOHELA, 633 SPIRIT DRIVE, CHESTERFIELD, MO 63005
WS BADCOCK CORPORATION, PO BOX 724, MULBERRY, FL 33860

Total Served: 25